

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Scott E. Blakeley (SBN: 141418)</p> <p>Sean J. Lowe (SBN: 295653)</p> <p>Blakeley LLP</p> <p>18500 Von Karman Ave, Suite 530</p> <p>Irvine, CA 92612</p> <p>P: (949) 260-0611</p> <p>F: (949) 260-0615</p> <p>E: SEB@BlakeleyLLP.com, SLowe@BlakeleyLLP.com</p> <p><input type="checkbox"/> Individual appearing without attorney</p> <p><input checked="" type="checkbox"/> Attorney for Capital Distribution Company, LLC</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - <u>LOS ANGELES</u> DIVISION</p>	
<p>In re:</p> <p>MICHAEL BONERT and VIVIEN BONERT,</p> <p style="text-align: right;">Debtor(s).</p> <p>CAPITOL DISTRIBUTION COMPANY, LLC, a California limited liability company, d/b/a Capitol Food Company,</p> <p style="text-align: right;">Plaintiff(s),</p> <p style="text-align: center;">vs.</p> <p>BONERT'S INC., a California corporation, d/b/a Bonert's Slice of Pie, BONERT MANAGEMENT COMPANY, INC., a California corporation, et al.,</p> <p style="text-align: right;">Defendant.</p>	<p>CASE NO.: 2:19-bk-20836 ER</p> <p>CHAPTER: 11</p> <p>ADVERSARY NO.: 2:19-ap-01405-ER</p> <p>NOTICE OF LODGMENT OF ORDER OR JUDGMENT IN ADVERSARY PROCEEDING RE: REQUEST FOR ASSIGNMENT TO MEDIATION PROGRAM</p>

PLEASE TAKE NOTE that the order or judgment titled Order Assigning Matter to Mediation Program And Appointing Mediator and Alternate Mediator

was lodged on (date) February 3, 2020 and is attached. This order relates to the motion which is docket number 42.

Exhibit A

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Scott E. Blakeley (SBN: 141418) Sean J. Lowe (SBN: 295653) Blakeley LLP 18500 Von Karman Ave, Suite 530 Irvine, CA 92612 P: (949) 260-0611 F: (949) 260-0615 E: SEB@BlakeleyLLP.com, SLowe@BlakeleyLLP.com <i>Attorney for <u>Capital Distribution Company, LLC</u></i>	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – <u>LOS ANGELES</u> DIVISION	
In re: MICHAEL BONERT and VIVIEN BONERT, Debtor(s). CAPITOL DISTRIBUTION COMPANY, LLC, a California limited liability company, d/b/a Capitol Food Company, Plaintiff(s), vs. BONERT'S INC., a California corporation, d/b/a Bonert's Slice of Pie, BONERT MANAGEMENT COMPANY, INC., a California corporation, et al., Defendant.	CASE NO.: 2:19-bk-20836 ER CHAPTER: 11 ADVERSARY NO.: 2:19-ap-01405-ER ORDER ASSIGNING MATTER TO MEDIATION PROGRAM AND APPOINTING MEDIATOR AND ALTERNATE MEDIATOR × EXHIBIT ATTACHED (PARTIES' SIGNATURE PAGE) [NO HEARING REQUIRED]

This Capital Distribution Company, LLC v. Bonert's Inc. et al.
(Adversary proceeding/name of dispute in main case)

is assigned to the Bankruptcy Mediation Program of this district, and the following are appointed as Mediator and Alternate Mediator:

Mediator:

Michael B. Lupic
Name

Alternate mediator:

Jeremy v. Richards
Name

K & L Gates LLP

Firm name

Pachulski Stang Ziehl & Jones LLP

Firm name

10100 Santa Monica Blvd., 8th Floor

Address

10100 Santa Monica Blvd., 13th Floor

Address

Los Angeles, CA 90067

City, state, zip code

Los Angeles, CA 90067

City, state, zip code

310.552.5030

Telephone

310.277.6910

Telephone

310.522.5001

Facsimile

310.201.0760

Facsimile

michael.lubic@klgates.com

Email address

jrichards@pszilaw.com

Email address

The attorneys for the parties are:

Attorney for Capitol Distribution Company, LLC:

Scott E. Blakeley, Sean J. Lowe

Name

Attorney for Michael Bonert and Vivien Bonert:

Marc Lieberman, Alan Forsley

Name

Blakeley LLP

Firm name

Fredman Lieberman Pearl LLP

Firm name

18500 Von Karman Ave., Suite 530

Address

1875 Century Park East, Suite 2230

Address

Irvine, CA 92612

City, state, zip code

Los Angeles, CA 90067

City, state, zip code

949.260.0611

Telephone

310.432.5999

Telephone

949.260.0613

Facsimile

310.432.59999

Facsimile

SEB@BlakeleyLLP.com, SLowe@BlakeleyLLP.com

Email address

marc.lieberman@flpllp.com, alan.forsley@flpllp.com

Email address

[Attach additional page(s) if necessary.]

Counsel for Additional Parties:

Attorney for: Defendants Bonert Management Company, Inc.,
Bonert's Jadasaha, LLC, Bonert's MC, LLC, Bonert's Mibon, LLC,
Beefam, LLC, and 3144 Bonert's, LLC

Name: Craig M. Fields, Lawrence M. Jacobson,

Firm Name: Glickfield, Fields & Jacobson LLP

Address: 8383 Wilshire Boulevard, Suite 408

City, state, zip code: Los Angeles, CA 90211

Telephone: 310-550-7222

Facsimile: 310-550-6222

Email Address: lmj@gfjlawfirm.com

[EXHIBIT - PARTIES' SIGNATURE PAGE]

SUBMITTED JOINTLY BY:

Date: 2-3-2020

Mike Hughes for Stratastools
(Name of party)

M. A. Hughes
(Signature of party)

Date: 2-3-2020

Sean J. Lowe
(Name of party's counsel)

SL
(Signature of party's counsel)

Date: _____

(Name of party)

(Signature of party)

Date: _____

(Name of party's counsel)

(Signature of party's counsel)

ADDITIONAL SIGNATURE PAGE

Date: January 24, 2020



Michael Bonert
Individually and as member/manager of Bonert
Management Company, Inc., Bonert's Jadasaha,
LLC, Bonert's MV, LLC, Bonert's Mibon,
LLC, Beefham, LLC and 3144 Bonert's LLC

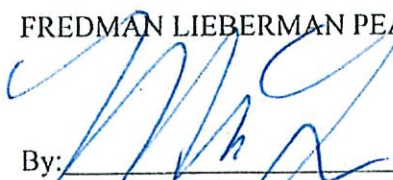
Date: January 24, 2020



Vivien Bonert

Date: January 24, 2020

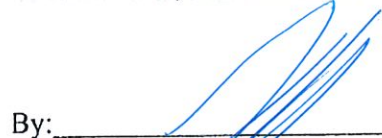
FREDMAN LIEBERMAN PEARL LLP



By: _____
Marc A. Lieberman
Attorneys for Debtors, Debtors-in-Possession
and Defendants Michael Bonert and Vivien
Bonert

Date: January 24, 2020

GLICKFELD, FIELDS & JACOBSON LLP



By: _____
Lawrence M. Jacobson
Attorneys for Defendants Bonert Management
Company, Inc., Bonert's Jadasaha, LLC,
Bonert's MV, LLC, Bonert's Mibon, LLC,
Beefham, LLC and 3144 Bonert's LLC

Description of the Matter:

1. ☒ Objection to claim/claim resolution
2. ☐ Plan
 - ☐ Objection to plan confirmation
 - ☐ Plan formulation/negotiation
3. ☐ Valuation
4. ☐ Preference
5. ☒ Fraudulent transfer
6. ☐ Lien avoidance
7. ☐ Dischargeability

Specify grounds: _____

8. ☒ Other. Please specify: Adversary proceeding alleging alter ego and fraudulent transfer liability

Amount of money at issue in Matter:

1. ☐ \$0 to \$1,000
2. ☐ \$1,001 to \$10,000
3. ☐ \$10,001 to \$50,000
4. ☐ \$50,001 to \$100,000
5. ☐ \$100,001 to \$500,000
6. ☐ \$500,001 to \$1,000,000
7. ☒ \$1,000,001 to \$5,000,000
8. ☐ \$5,000,001 to \$10,000,000
9. ☐ If more than \$10,000,000,
state amount: \$ _____
10. ☐ Money not at issue.

Instructions from the Court:

1. Re: filing and service of this Order:

- a. If Order is submitted to court by party(ies)

(1) For electronic submission of orders, refer to Section 4 of the Court Manual.

(2) The party(ies) submitting this Order must file the following with the court: (a) the original and one (1) copy of this Order, and (b) a Proof of Service of Document which reflects service of this Order on the mediator, the alternate

mediator, the mediation program administrator (Hon. Barry Russell) and any individual(s) and/or entity(ies) and/or other interested party(ies) as may be designated by the judge.

b. If Order is prepared by the judge:

(1) The following individual must serve a copy of this Order on the mediator, the alternate mediator, and the mediation program administrator (Hon. Barry Russell): _____

(2) The following additional individual(s) and/or entity(ies) and/or other interested party(ies) must be served by the individual designated in note (b)(1) above with a copy of this Order: [Attach additional page(s) if necessary.]

(3) The individual designated in note (b)(1) above must file an original Proof of Service which reflects service of this Order on the mediator, the alternate mediator, the mediation program administrator, and the individual(s) and/or entity(ies) and/or interested party(ies) listed in note 1(b) above.

2. Other: [Attach additional page(s) if necessary.] _____

The parties are to comply with the provisions of Third Amended General Order No. 95-01.

IT IS SO ORDERED:

###

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

BLAKELEY LLP, 18500 Von Karman Ave., Suite 530, Irvine, CA 92612

A true and correct copy of the foregoing document entitled **ORDER ASSIGNING MATTER TO MEDIATION PROGRAM AND APPOINTING MEDIATOR AND ALTERNATE MEDIATOR** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Order(s) and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 2/3/2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) stated below:

Alan W. Forsley alan.forsley@flpllp.com, awf@fklawfirm.com, awf@fl-lawyers.net, addy.flores@flpllp.com
United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
Hatty K. Yip hatty.yip@usdoj.gov
Lawrence M. Jacobson bholmes@gersonlaw.com
Scott E. Blakeley seb@blakeleyllp.com

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL** (indicate method for each person or entity served):

On *(date)* 2/3/2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Mediator: Michael Lubic, K&L Gates, 10100 Santa Monica Blvd., 8th Fl., Los Angeles, CA 90067

Alternate Mediator: Jeremy Richards, Pachulski Stang Ziehl & Jones, 10100 Santa Monica Blvd., 8th Fl., Los Angeles, CA 90067

Honorable Barry Russell, Mediation Program Administrator - 255 E. Temple, Room 1660, Los Angeles, CA 90012

Honorable Ernest M. Robles, 255 E. Temple St., Ste. 1560, Los Angeles, CA 90012

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/3/2020
Date

Christopher M. Kiernan
Printed Name

/s/ Christopher M. Kiernan
Signature

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

BLAKELEY LLP, 18500 Von Karman Ave., Suite 530, Irvine, CA 92612

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT OF ORDER OR JUDGMENT IN ADVERSARY PROCEEDING** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 2/3/2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Alan W. Forsley alan.forsley@flpllp.com, awf@fklawfirm.com, awf@fl-lawyers.net, addy.flores@flpllp.com
United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
Hatty K. Yip hatty.yip@usdoj.gov
Lawrence M. Jacobson bholmes@gersonlaw.com
Scott E. Blakeley seb@blakeleyllp.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On (date) 2/3/2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Mediator: Michael Lubic, K&L Gates, 10100 Santa Monica Blvd., 8th Fl., Los Angeles, CA 90067
Alternate Mediator: Jeremy Richards, Pachulski Stang Ziehl & Jones, 10100 Santa Monica Blvd., 8th Fl., Los Angeles, CA 90067
Honorable Barry Russell, Mediation Program Administrator – 255 E. Temple, Room 1660, Los Angeles, CA 90012
Honorable Ernest M. Robles, 255 E. Temple St., Ste. 1560, Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/3/2020
Date

Christopher M. Kiernan
Printed Name

/s/ Christopher M. Kiernan
Signature